

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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ALTAGRACIA PEGUERO,

Plaintiff,

v.

AMERICAN EXPRESS COMPANY,  
THE SKLOVER GROUP, INC. and  
FEDERAL INSURANCE COMPANY,

Defendants.

AMERICAN EXPRESS COMPANY,

Third-Party Plaintiff,

v.

HEALTHEXTRAS, LLC,

Third-Party Defendant.

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Civil Action No. 05-10995-RCL

INITIAL DISCLOSURES OF  
THIRD-PARTY DEFENDANT HEALTHEXTRAS, INC.

Pursuant to Fed. R. Civ. P. 26(a)(1) and LR 26.2(A), third-party defendant HealthExtras, Inc. (“HealthExtras”) makes these initial disclosures in the above-captioned case.

A. Individuals Likely To Have Discoverable Information That  
HealthExtras May Use To Support Its Claims or Defenses

1. Joanna Ficklin  
Vice President of Sales Administration  
HealthExtras, Inc.  
800 King Farm Boulevard, 4th Floor  
Rockville, Maryland  
(301) 548-2900

Has information concerning (a) HealthExtras’ contractual relationships with American Express Company (“Amex”), Federal Insurance

Company (“Federal”) and the Sklover Group, Inc. (“Sklover”), and (b) HealthExtras’ role in providing customer service, administration and fulfillment services with respect to the Accidental Disability Plan brokered by Sklover, underwritten by Federal, marketed by Amex and purchased by Altagracia Peguero (“Peguero”).

2. Andrew J. Sklover  
President  
The Sklover Group, Inc.  
400 Post Avenue  
Westbury, New York  
(516) 333-6608

Has information concerning Sklover’s role in brokering the Accidental Disability Plan at issue.

3. Kirk Voisin  
Vice President, Accident Benefits and Life Dept.  
Federal Insurance Company  
15 Mountain View Road  
Warren, New Jersey  
telephone unknown

Has information concerning Federal’s role in underwriting the Accidental Disability Plan at issue.

4. J. Whitney Stevens  
former Vice President of Marketing  
American Express Company  
address and telephone unknown

Has information concerning Amex’s role in marketing the Accidental Disability Plan at issue.

5. Abby E. Mink  
American Express Company  
address and telephone unknown

Has information concerning Amex’s role in marketing the Accidental Disability Plan at issue.

6. Michelle L. Corn  
American Express Company  
address and telephone unknown

Has information concerning Amex's role in marketing the Accidental Disability Plan at issue.

7. Ellen M. Kirschner  
American Express Company  
address and telephone unknown

Has information concerning Amex's role in marketing the Accidental Disability Plan at issue.

8. Prudence P. Plummer  
American Express Company  
address and telephone unknown

Has information concerning Amex's role in marketing the Accidental Disability Plan at issue.

9. Robin J. Madigan  
American Express Company  
address and telephone unknown

Has information concerning Amex's role in marketing the Accidental Disability Plan at issue.

10. Todd Lindamood  
American Express Company  
address and telephone unknown

Has information concerning Amex's role in marketing the Accidental Disability Plan at issue.

11. Susan Krahn  
American Express Company  
address and telephone unknown

Has information concerning Amex's role in marketing the Accidental Disability Plan at issue.

12. Charlene L. Bryant  
American Express Company  
address and telephone unknown

Has information concerning Amex's role in marketing the Accidental Disability Plan at issue.

13. Wanda Martinez  
American Express Company  
address and telephone unknown

Has information concerning Amex's role in marketing the Accidental Disability Plan at issue.

B. Description By Category And Location Of Documents In HealthExtras' Possession That It May Use To Support Its Claims Or Defenses

1. Contracts between and among HealthExtras, Federal, Sklover and Amex  
Location: HealthExtras' offices in Rockville, Maryland
2. Membership records concerning Accidental Disability Plan  
Location: HealthExtras' offices in Rockville, Maryland
3. Communications between HealthExtras and Federal concerning their contract and their respective responsibilities thereunder  
Location: HealthExtras' offices in Rockville, Maryland
4. Communications between HealthExtras and Amex concerning their contract and their respective responsibilities thereunder  
Location: HealthExtras' offices in Rockville, Maryland
5. Communications between HealthExtras and Amex evidencing Amex's review and approval of marketing materials for the Accidental Disability Plan  
Location: HealthExtras' offices in Rockville, Maryland

C. Computation of Damages Claimed By HealthExtras and Disclosure of Documents on Which Computation is Based

HealthExtras does not presently claim damages against any other party.

D. Disclosure of Insurance Agreement Under Which Insurer May Be Liable  
To Satisfy Judgment Against HealthExtras

None.

HEALTHEXTRAS, INC.

By its attorney,

/s/ Donald R. Pinto, Jr.  
Donald R. Pinto, Jr., BBO No. 548421  
RACKEMANN, SAWYER & BREWSTER  
One Financial Center  
Boston, Massachusetts 02111  
(617) 542-2300

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

/s/ Donald R. Pinto, Jr.  
Donald R. Pinto, Jr.

Dated: May 26, 2006